

1 **WO**

2
3
4
5
6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
8

9 Mark E Stuart, et al.,

10 Plaintiffs,

11 v.

12 Jim Thompson, et al.,

13 Defendants.
14

No. CV-21-01917-PHX-DJH

ORDER

15 Before the Court is Defendants' Rule 60(a) Motion to Amend or Correct Order of
16 Dismissal (Doc. 73). Therein, Defendants correctly note that in its September 9, 2024,
17 Order, the Court erroneously permitted Count Three of Plaintiffs' Complaint to proceed
18 against "former Scottsdale City Attorney Washburn." (Doc. 71 at 65). Plaintiffs' Second
19 Amended Complaint, however, only asserts an unlawful seizure claim against Defendants
20 Scott, Santaella, and Thompson. (Doc. 36 ¶ 172). The Order also erroneously dismisses
21 Defendant Santaella despite allowing Count Three to proceed against this Defendant.
22 (Doc. 71 at 65).

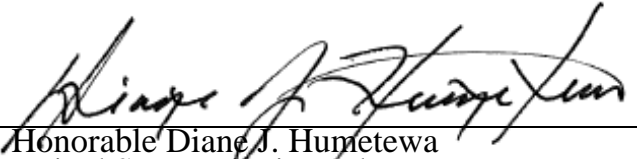
23 The Court instructed Plaintiff to file any objection to Defendants' Rule 60 Motion
24 on or before October 11, 2024 (Doc. 74). Plaintiff has not done so. At the parties' Rule
25 16 Scheduling Conference on October 21, 2024, undersigned informed the parties she
26 would be granting Defendants' Motion.

27 Accordingly,

28 **IT IS ORDERED granting** Defendants' Rule 60(a) Motion to Amend or Correct

1 Order of Dismissal (Doc. 73). The last sentence of the Court's September 9, 2024, Order
2 (Doc. 71), shall be **amended** to clarify that the remaining Defendants in this matter are
3 Scottsdale City Manager Thompson, Deputy City Attorney Luis Santaella, and City
4 Attorney Sherry Scott. Defendants Bruce Washburn and Unknown Washburn are
5 **dismissed** with prejudice from this action. Defendant Luis Santaella shall be **reinstated**
6 as a Defendant.

7 Dated this 21st day of October, 2024.

8
9
10 
11 Honorable Diane J. Humetewa
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28